7

File No. AFD 80 FGL 70

MYSORE GOVERNMENT SECRETARIAT

Notes/Correspondence/Collection

Department AF Section Forest 'B'

Subject :— Forest Depn - N.K. Dist - Sirsi Taluka - Boppanahalli -
Regularisation of encroachment in 36-22 acres,
by Sri K.S. Hegde, in F.S. No. 70 to 77 of Boppanahalli

Earlier References :—

Later References :—

23-2-70
13-11-71

(Classification A/B/C)

13/11/71

Notes Pages 11
Correspondence Pages 16
For/Not for Section Note Book
To be destreyed after 10

B.G. Bagewadi
Under Secretary to
Government.

A
1/4/04

Vatsala S.R.
Assistant Chief Librarian,
Archives, Second Floor, Mahatma Gandhi Road,
Bangalore-560 001.

Indexed

2

DOCKET SHEET

Department: A&F

File No. AFD80 FGL70

Section Forest 'B'

Volume:

R. & I. SECTION
A. & F. D.
22 JUN 1970
A&F FB/70
2425

SUBJECT

Number and date	o whom sent	Instructions
1	2	3
3322 2/7/70 19/6	A&F	
27/6/70	RD	
3555 35115	D/S (R.D)	
Dy. Sy., R.D. No. 3715 Date 3/7/70	A&F	
6 JUL 1970	AFD 5084 FA70 6/7/70	

R. & I. SECTION
A. & F. D.
No.
Date
Secret

[P.T.O.

3

WD—06111—GPB—2,000 pads of 100 shts. each—4-9-69

Number and date 1	To whom sent 2	Instructions 3
ecy., A. & B. No. 4725 Date 14/7/70.		
cy., A. & B. 4539 13-8-70.		
Min. of St. Forests. No. F1649 Date 16/9/		

4 AFD. 80. RGL 70

Sl No. letter No. B3/GFL/1883/68-69 dated 21.1.70 of the C.C.F in Mysore Bl'ore

Note-1.

i) The C.C.F has sent proposals, in the recommendatory of the D.C.N.K, N Regularisation of encroachment of 36-22 acres made by Sri K.S. Hegde in F.S.No. 70 to 77 of Boppanahalli, Sirsi Tq. N.K. Dist.

ii) The proposal has not been routed through the Divisional Commissioner Belgaum. We may return the papers to the D.C.N.K and it through the Div. Commr.

iv) A draft letter ① to the Dep. Commr. N.K. is put up for approval

Note N.K 4.3.70

n/s)

23/2 iii) We may Consult RD

11/3

13/3/70

RD)

Note-2

Proposals for grant of Land are generally routed thro' the Dist Commrs. In this case, regularisation of encroachments will have to await rules that are

① D.No. 2

Dy. Secy. to A&F
No. 1285
16/2/3/70
REGISTRATION
No. 13729
Date 17 MAR 1970
Section

L. Sridhara 20/3/70

AFD-80-FAL 70.

5

being framed under sec 94 A. newly introduced in the L.R. Amendment Act 1970

1672

RD (CD) 1289/70

21.3.70

Dy. Sy., R.D.
No. Date
1743 23/3/70

21.3.70.

A. F. Degree.

HDC
23.3.70
H. R. THIPPAIAH,
Dy. Secy., Rev. Dept.

23.3.20

NOTE. 3

(i) We may await the issue of rules framed under sec 94A newly introduced in the L.R. Amendment Act 1970, for regularisation of encroachment, with ref. at NOTE. 2

17/4

ref: NOTE 1

2099/FB/70.

1233

Sri R
25/3

Sri R
27/4

(ii) Pl. ascertain from RD on 1/6/70

27/4/70.

NOTE 4

(iii) The file may be referred to R.D with ref to NOTE. 2

15/6.

R.D.

16/6/70

NOTE 5

Rules under sec 94 A of the Act have been

R & L SECTION
R.D.
No. 3322
Date
Section 32095

finalised & sent for publication in the Gazette.
It ~~might~~ has been published in the Gazette
on 18.6.70. A&F Dept may kindly verify the
Gazette.

A&F Dept

B. P. KRISHNA, Under Secy., Rev. Dept. 19.6.70

1867

Note-6

The D.C. N.K has sent proposals for release of 36-22 acres of land in F.S.No. 70&77 of Bobbenahalli, Sirsi Tq, for regularising an encroachment made by one Sri Krishnappa Sanjeeva Hegde from 1953. The encroachment could be regularised in view of G.O.No. AFD. 6 MRP 58 dated 19.5.58.

Flag F

The C.C.F has also recommended for regularisation of encroachment as the encroachment was existing prior to the date of G.O.No. AFD-6-MRP58 dated 19.5.58 (Para 2 of the G.O.)

Flag F.

In view of the Mysore Land Rev. (Amendment) Act 1970, the penal occupancy to be fixed should not exceed 2 times the market value (clause 7)

Flag G.

As recommended by the D.C-N.K & C.C.F. Govt may release 36-22 acres of land in F.S.No. 70&77 of Bobbenahalli for regularising the encroachment made by Sri K.S. Hegde. A draft G.O. is put up

AFD.80.RL-70. 7

for approval. R.D may also see.

25/6.

R.D.)

26/6.

27/6/70.

Note-7.

R.D. agrees to the issue of the G.O as sought

Amended

1-7.70

D.S.

A.F.Degre.

~~A.F.D. Supdt~~

3.7.70

3.7.70

D.S.R.

6/7

Note 8

Note 6/7 may kindly be perused. The proposal of D.C.N.K & C.C.F has been agreed to by R.D.

The G.O as sought is for approval time.

DS)

13/7/70

9/7/70.

Note.9.

(1) Encroachments in Forest Land are different from those on other Govt. lands. In view of the over all shortage of forest lands.

Dy. Secy., A&F
No. 3864 dt 3/7.

There is no need to the benefit in regard to regularising the unauthorised occupation. As the area under unauthorised occupation of forest land is considerable, all over the State, it is desirable to the strict in clearing the areas of encroachments, without making any procedures or exceptions.

(2) I do not recommend the surrender of forest land to the RD.

14/7/70.

Secy (FF.)

Note.10

Hos DS considered the Govt's instructions contained in para 2 (Cultivation of Betta Lands) of the Appendix to GO No AFD 6 MRP 58 dt 19/5/58? The encroachment in this case dates back to 1953.

DS

24/7

Note.11

Pl. put up with the file, dealing with the revocation of the orders mentioned above!

24/7/70

24/7

Sir R 24/7.

Note.12.

Ref. Note.11.

(1) As verified the G.O. No. AFD. 6 MRP 58 dated 19.5.(68) 58, has not been revoked. Under the proceedings of the meeting held on (2) 10.4.69, at the chambers of the minister for Finance Forests, it

(1) Flag GF

(2) Flag GF

AFD-50-Fe-170

was decided to regularise the encroachments on betta lands prior to 1st January 1969. (Item 5 para 1)

(ii) Betta land comprises of forest land and waste lands and notified as "Protected forests" set apart for various purposes of gardens, to take green leaves for the areca gardens etc and assigned.

(iii) The file is submitted with ref. in Note 10 and 11 (from page 6)

DS) 7/8/70.

Note 13

(1) The initial possession & cultivation of the Lands is in defiance under of the forest rules inasmuch as, the present cultivator of the Lands Sri Hegde, who took the lands on Lease (H.L.) refused to execute the agreement as required by the forest authorities. His possession, which was deemed to be unauthorised for all purposes, has come to be regularised now, by virtue of the subsequent Govt. Orders dated 19.5.58. The unauthorised possession could have and ought to have been removed almost immediately by the local forest authorities, since the Lease was done for May 1958 and till today.

10

(2) For all practical purposes, this is a case of H.L. and cannot be brought under the purview of the Govt. dated 19.5.58, by treating the case as of encroachment. The Local forest officers are answerable for having allowed this lease to continue for so long.

13/8/70

5439

1588

Secy. (Agt).

Notedly

I do not think it is worthwhile entering into the merits of the case to determine at this stage whether it was a Hangami logan transaction or an encroachment. The Govt have decided in 1958 to regularize the encroachments on forest lands. There shd be no objection therefore to regularize cases of H.L. which are of a still earlier ~~date~~ origin.

The CCFs proposals made in SNo 1 (Letter dt 19/21st Jan 20) may be approved.

14/8

Note 13

Min (Forests) approved.

28/8/70

ALUR HANUMANTHAPPA
Min of State for Forests

4963

Dy. Secy)

21/8

Note 16

Draft issued at page 9 of c.f. with the

DS) 22/8/70 issued 24/8/70

AID 80 FEL 70.

11

Sl. No. 3. Refn. dated 27-8-70 of Sri Krishnappa Sambayya Hegde.

Note. 17

Sri Krishnappa Sambayya Hegde, has requested to grant him a copy of G.O. dated 27.8.70. He has credited the required fees @ Rs 3/- towards copying fees. He is the grantee. We may grant him a copy.

A draft letter is put up for approval for signature.

28/8/70

May be issued

Re-opened.

Sl. No. 5. Refn. dated 3.X.70 of Sri Krishnappa Sambayya Hegde.

Note. 18.

Sri Krishnappa Sambayya Hegde on whose favour an area of 36-22 acres was released in G.O. of even no. dated 27.8.70 has requested permission to lease the land in favour of him pending disforestment notification.

The applicant may be requested

& approach the D.C.N.K. in the matter. 12

A draft letter is put up for approval

31/10

DS)

2/11/70.

Dy. Secy. (Asst.) No. 6718 2/11.

Note 19

~~That~~ Since the applicant is already ~~Case~~ prosecuted & says that he has withdrawn the land - there is no need to enter into a Lease agreement. He shall approach the Rev. authorities for getting his Unauthorised possession regularised

3/11/70

Note 20

4/11/70.

The draft at p15 is modified as above. The same may be issued.

4/11

~~DS~~ ~~Same~~ Same.

DS) 6/11/70.

DS 11/11

May be seen by B.

11/11

BBS 13/11

GOVERNMENT OF MYSORE

No.AFD 80 FGL 70.

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore, 6th Nov. 1970.

FROM

The *Secretary to the Government of Mysore*
Agriculture & Forest Department.

To Sri Kishnappa Sambayya Hegde,
Honnegadde, Sirsi Taluk,
North Kanara District.

Sir,

Sub: Forest Department - North Kanara District - Bopponahalli F.S.No.70 to 77 - release of 36 acres for regularising the encroachments made by Sri Krishnappa Sambayya Hegde - request for lease of the area regarding.

With reference to your representation dated 3-10-1970, on the subject mentioned above, I am directed to request you to approach the Deputy Commissioner, North Kanara for regularisation of encroachment in the matter.

Yours faithfully,

(M.A.Srinivasan)
Under Secretary to Government,
Agriculture & Forest Department.

Copy to Deputy Commissioner, North Kanara, Karwar

---

hns/6-11/

Sl. No-6 14 15

Sub: ~~Forest~~ Defn - N.K. Dist - Sirsi Tq - Boppanahalli F.S.No.70 477 - release of 3 ½ acres for regularising the encroachments made by Sri Krishnappa Sambayya Hegde - request for lease of the area - regarding.

AFD.80.FAL70

Sri Krishnappa Sambayya
Hegde - Hanegadde
Sirsi Tq N.K.Dist

With ref. to your representation dated 3.x.70, on the subject mentioned above, I am directed to request you to approach the D.C. N.K. for regularisation of encroachment in the matter.

3/11

3/11/70
ws ADF

Copy to D.C. N.K.

11.11.70.

S7.No-5

14

15

AFR 7567 FA 70
7/10/70

To,

The Secretary to the Govt of-
Mysore Agriculture & Forest Dept.
Bilore

From:- Krishnappa Sambayya Hegde
Honnegadde Sirsi N.K.

38285
SECTION
A.G.P.D.
- 6 OCT 1970

Respected Sir,

As per your letter dated 29/8/1970 (1/11). the forest land bearing F.S.No. 70 to 77 consisting of 36-22 acres which are encroached by me have been ordered for regularisation.

Sir & S/o.

I hereby request to kindly lease it to me on temporary lease basis till it is regularised as I have already grown crops on the same and invested a lot as already brought to your notice. Otherwise it would be very inconvenient for me.

Please lease it to me on temporary basis in the interest of justice as early as possible. Yours sincerely

Bilore. x (illegible)

Date 3/10/1970

S/-N-4

13

16

GOVERNMENT OF MYSORE

No.AFD 80 FGL 70.

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore, 29-8-1970.

FROM

The Secretary to the Government of Mysore,
Agriculture & Forest Department.

To

Sri Krishnappa Sambayya Hegde,
Honnegadde, Sirsi,
North Kanara District.

Sir,

Sub: Forest Department - N.K.District - Sirsi Taluk - Boppanahalli F.S.No.70 to 77 - release of 36-22 acres for regularising the encroachment made by Sri Krishnappa Sambayya Hedge - Orders regarding -

---

With reference to your representation dated 28-8-70 on the subject mentioned above, I am directed to enclose a copy of G.O.No.AFD 80 FGL 70 dated 27-8-1970, as requested by you.

Yours faithfully,

M. A. Srinivasan

(M.A.Srinivasan)
Under Secretary toGovernment,
Agriculture & Forest Department.

17

Received the certified copy
on behalf of Shri Krishnappa
Sambargi & Hegde

29/8/70

Sl. no 4 12

Subj: asst proof. 18

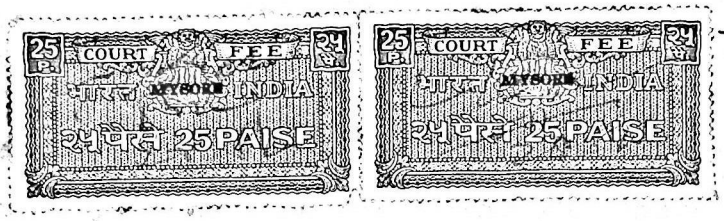
AFD. 80. SEL 70

Sri Krishnaiah Sambayya Hegde
Honnegudde, Sirsi, N.K. Dist

Sir,

With ref. to your representation dated 28.8.70, on the subject mentioned above I am directed to enclose a copy of B.O. No: AFD. 80. SEL 70 dated 22.8.70, as requested by you.

T/L
28/8/70
M/s HP



Sl.No 3

11

AFD 6576 FA 70

28/8/70

19

From

Krishnappa Sambayya Hegde,
Honnegadde, Sirsi N.K.

To

The Secretary to Govt. Agricultural &
Forest Department,
Vidhana Soudha, Bangalore.1.

Sir,

On an enquiry I came to know that the 36 acres and 22 guntas of land in the Forest Survey Numbers 70, to 77 in Boppanahalli Village in Sirsi Taluka has been released from the Forest Department, Govt. of Mysore, Bangalore and that the same is surrendered to the Revenue Department made for regularising the encroachment made by me upon the same land in accordance with the Mysore Land Revenue (Regulation of Unauthorised Occupation) Rules 1970.

A certified copy of the same may kindly be issued to the undersigned.

A court fee stamp at 0.50 P is affixed herewith.

Bangalore.

Date : 27.8.1970

ಕೃಷ್ಣಪ್ಪ ಸಂಬಯ್ಯ ಹೆಗಡೆ

(KRISHNAPPA SAMBAYYA HEGDE)

Received Rupees Three only
vide Receipt No 5121. Dt 28/8/70.

28/8/70

28/8/70

Under Secretary to Government of Mysore
G.A.D. (Accounts).

Sl. No. 2 — 10

21

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

Sub: Forest Department - North Kanara District - Sirsi Taluk - Boppanahalli - V.F.Nos.70 to 77 - Release of 36-22 acres for regularising the encroachment made by Sri Krishnappa Gambayya Hegde - Orders - regarding.

ORDER NO. FD 80 FCL 70,
DATED: BANGALORE: THE 27TH AUGUST 1970.

With reference to letter No.B3/CFL/1930/68-69 dated 21-1-1970 of the Chief Conservator of Forests in Mysore, Bangalore on the subject mentioned above, the Governor is pleased to accord sanction for the release of 36-22 acres comprised in V.F.Nos.70 to 77 of Boppanahalli, Sirsi Taluk, North Kanara District as detailed below, and to its surrender to Revenue Department for considering the question of regularising the encroachment made by Sri Krishnappa Gambayya Hegde in the Land, in accordance with the Karnataka Land Revenue (Regularisation of unauthorised occupation) Rules 1970.

District	Taluk	Village	V.F.No.	Extent A.G.
North Kanara.	Sirsi	Boppanahalli	70	6-20
			71	6-17
			72	4-20
			73	3-36
			74	3-33
			75	5-23
			76	1-02
			77	5-31
			Total ..	36-22

This order issues with the concurrence of Revenue Department.

M. A. Srinivasan
(M.A.Srinivasan)
Under Secretary to Government,
Agriculture & Forest Department.

To

The Chief Conservator of Forests in Mysore, Bangalore.
The Divisional Commissioner, Belgaum.
The Deputy Commissioner, North Kanara, along with case papers.
Copy to Revenue Department.
Guard File.

hrs/27-8/

M. F. C. Form 1, Art. 6)

20

ACKNOWLEDGMENT FOR RECEIPT OF MONEY

Office of the Under Secretary to Government of Mysore G.A.D. (Accounts).

Bk. D 93 No 5121 Station .....

Date 28/8/70

Received from Shri Krishnappa Sambayya Hegde

Rupees Three only /

on accontu of Copying fee /

.....

and credited to Cash Book Page No..... Item No..... on.....

Rs: 3=00 /

Cashier.

28/8/70

Head of Office.

Under Secretary to Government of Mysore

G.A.D. (Accounts).

Sl. No. 2

PROCEEDINGS OF THE GOVERNMENT OF MYSORE. 22 9

Sub: Forest Defs - N.K. Dist - Sirsi Tq. Boppanahalli - F.S. No. 70 to 77 - release of 36-22 acres for regularising the encroachment made by Sri Krishnappa Sambayya Hegde — Order — regarding.

ORDER No AFD 80 FCL 70

BANGALORE DATED THE JULY 70

Read ① Letter No. B3/GFL/1883/68-69 dated 21.1.70 from the C.C.F in Mysore, Bangalore, on the subject mentioned above, the Governor is pleased to accord sanction for the release of 36-22 acres comprised in F.S. Nos 70 to 77 of Boppanahalli Sirsi Tq N.K Dist as detailed below and to its surrender to R.D for regularising the encroachment made by Sri Krishnappa Sambayya Hegde in the land, in accordance with the Mysore Land Rev (Regularisation of Unauthorised occupation) Rules 1978.

Considering the question of

F.S.No.	Extent. A. G.
70	0-20
71	6-17
72	4-20
73	8-26
74	3-33
75	5-28
76	1-03
77	5-35
Total	36-22

This order issues with the concurrence of R.D.

To

CCF

Dir. Coorg. Belgaum.

D.C. N.K along with case papers.

ISSUED Dated 27.8.70

Copy RO

GP

S/c A&P

26/8

Sl.No.1 23

B[illegible]FL/1883/68-69.
Encl: case papers

To

CHIEF CONSERVATOR'S OFFICE
Bangalore, dated, 19th January, 1970.

21

The Secretary to Government,
Agriculture and Forest Department,
RANGALORE?

Sir,

03072
587/70/20

Sub: Regularisation under G.O.No. AFD 6 MRP 58 dated 19-5-1958.

Ref: Your memo No.AFD 518 FB 69, dated 27-1-69.

I enclose herewith the correspondence ending with letter No. LND.ii-7/SR-3728 dated 20-12-69, from the Deputy Commissioner, N.Kanara, Karwar, on the above subject.

Sri R 22/1/70

2. As the encroachment in question was existing prior to the date of Government Order No.AFD 6 MRP 58, dated 19-5-1958 and as recommended by the Deputy Commissioner, I have no objection for the regularisation of encroachment done in an area of 36-22-0 acres comprised in F.S.No.70 to 77 of Boppanalli village, Sirsi Taluka by Shri Krishnappa Sambayya Hegde on recovery of penal occupancy price.

Orders of Government in the matter may kindly be communicated.

The original petition is embodied among the case papers.

Yours faithfully,

D. Ranjundappa 20/1.
Chief Conservator of Forests.

22/1/70

24 7

Subject:- Regularisation of encroachment in F.S.Nos.71 to 77 of Beppanalli (Sirsi).

No.LND.II.7/SR-3728
Karwar, 20-12-1969.

To

The Chief Conservator of Forests,
in Mysore, Bangalore-1

Sir,

Ref:- Your No.B-3/GFL-1883/68-69 dated 14-4-1969 and 21-6-1969.

The papers of the case in two files are enclosed herewith. A copy of the report of the Tahsildar Sirsi obtained in this behalf is also enclosed.

From the facts reported by the Tahsildar, it could be seen that Shri Krishnappa Sambayya Hegde has in all encroached over an area of 36-22-0 since 1953-54 onwards. He has brought entire land under paddy cultivation as well as Sugarcane and banana crop. The Forest Department was not unaware of the actual state of affairs. On 31-12-1959 the Divisional Forest Officer, Kanara Eastern had opined that the encroachment fulfilled the provisions of the Government Order No.AFD 6 MRP 58 dated 19-5-1958 and needed to be regularised.

However, the main point to be considered in this behalf is that whether the encroacher has established a superior claim over other several applicants. First ~~xxxx~~ several pages of File I indicate that there were several applicants for these lands all of whom applied in December 1960. The Forest Department was not inclined to release the Sy.Nos. in favour of Shri K.S.Hegde (vide Page 49 of File I). However, the Forest Department at that juncture, did not appear to have taken into consideration the fact that the Forest Department itself had already leased the land to the applicant encroacher in 1958-54. This lease was not in force as,it appears, the lessee had not executed lease deed. In this behalf para 1 of Divisional Forest Officer's (Sirsi Division) No.FCA/GFL/LND-485/64 dated 30-3-1965 - copy enclosed

9130 26/12 2014
26 DEC 1969

25

may be referred. In the absence of any signed lease agreement, the Forest Department, it appears, have treated the case as an encroachment. In the capacity of original lessee - turned encroacher the encroacher Shri K.S.Hegde has a superior claim over the land under reference.

Being an encroachment of pre 19/5-58 period the matter could be regularised in view of the G.O.No.AFD 6 MRP 58 dated - 19-5-58. But as observed by the Divisional Forest Officer, Sirsi Division in his letter No.FOR/GFL/LND-485/24/62-63 dated 29-9-1969 (page 398 of File I), the assessment and/ or annual lease rent, local fund etc. were to be recovered only when the transaction was supported by any order of the relative competent authority or the Government. But the Tahsildar of Sirsi has suo-moto recovered on 21-6-1965 Rs.3561-51 towards assessment (Rs.667-37), Local Fund (Rs.125-14), Surcharge (Rs.143-00) and Fine (Rs.2626-00) and the total amount of Rs.3561-51 has been remitted into Treasury on 24-6-1965. This is for the period from 1956-57 to 1964-65. Similar amounts for the further period do not appear to have been recovered. This is not of much importance. The basis factor which tilts the balance in favour of the encroacher is the action of the Tahsildar in realising the assessment and other charges which were not due for recovery, unless the encroachment was regularised or land granted. So indirectly his claim has been substantiated.

It is reported by the Tahsildar that if the lands now referred to are granted to the encroacher after regularisation of the encroachment, the total economic holding would be as under:

	Bagayat	Tari	Kushi	Total
Present holding.	1-20-2	0-11-2	2-23-5	4-14-9
Add area under reference				36-22-0
				40-36-9

The economic holding will not exceed the ceiling limit prescribed under the Mysore Land Reforms Act, 1961. There is, therefore, no objection to regularise the encroachment in this case.

Yours faithfully,

Sd/-

for Deputy Commissioner, Karwar.

26 S

Subject:-Regularisation of encroachment in F.S.No.71 to 77 of Boppanalli(Sirsi).

No.FOR.SR.197 & 3305
Sirsi,14-10-1969.

To

The Deputy Commissioner,
Kanara, Karwar.

Sir,

Reference:- Your letter No.LND.II.7/SR-3728 dated 15-7-69.

~~dated 15-7-69.~~

I am submitting herewith the papers of the case in 2 files on the subject noted above. The information called for in your letter referred to above is as under:

(1) It is seen from the papers that Shri Krishnappa Sambayya Hegde has encroached upon forest lands to the extent of 36-22-0 (A G As) out of F.S.No.70 to 77 of Boppanalli village, from the year as shown against each S.No. and has brought them under paddy cultivation (kindly vide page 89 of File I) at a huge cost of about Rs.70,000/-(kindly vide page 387 of File I).

F.S.No.	Area encroached	Year of encroachment.
70	0-30-0	1958-59
71	6-17-0	1958-59
72	4-20-0	1958-59
73	8-26-0	1956-57
74	3-33-0	1956-57
75	5-28-0	1956-57
76	1-3-0	1956-57
77	5-35-0	1956-57
	36-22-0	

From the papers it is also seen that an amount of Rs.125-14 being L.F., Rs.148-00 being surcharge and Rs.2636-0 being fine for the period from the year of encroachment to 1964-65 have been levied by the then Tahsildar and recovered from the encrbacher on 21-6-65 and credited to Govt.on 24-6-1965.

The encroachment in question was existing prior to 1958 i.e., prior to the date of the G.O.No.AFD 6 MRP 58 dated 19-5-1958 and its regularisation is permissible as per para 2 of the G.O. The Divisional Forest Officer Sirsi Dn., Sirsi's report at pages 203 and 387 of file No.I in this connection may also kindly be perused.

27

It may be, however, pointed out here that there is demand for this land ~~fee~~ from 14 persons including the encroacher, the particulars of whom are given in the statement enclosed at page 375 of File No.I. It may further be pointed out that an area of 4-20-0 in F.S.No.72 of Beppanalli was proposed for grant in favour of the Military applicant Shri Channabasappa Shankrappa Patil of Ilalur under this Office No.FOR.SR.3305 dated 1-4-1968 (kindly vide page 237 of File II)thinking that the encroachment was from 1966-67. But on a perusal of the original papers in File No.I now received, it is seen that Shri Krishna Sambayya Hegde has encroached upon the lands prior to 10-5-58.

As the case of the encroacher Shri Krishna Sambayya Hegde falls within the purview of the G.O.of 1958, there is no objection to regularise the encroachment as also opined by the Divisional Forest Officer Sirsi in his letter dated 29-9-69 which is at page - 393 of File No.I and to grant the lands to the encroacher on the usual terms and conditions and subject to recovery of occupancy price of Rs.100/- per acre.

2. The present economic holding of the applicant is as given below (kindly vide pages 375 & 387) of File No.I).

Village	Area held			
	Bagayat	Tari	Kuski	Total
Karjagimane	-	-	0-14-0	0-14-0
Balegadde	1-20-2	0-11-2	2-9-5	4-0-9
	1-20-2	0-11-2	2-23-5	4-14-9

3. In case the encroachment is regularised, the total economic holding would be (4-14-9 + 36-22-0 = 40-36-9) A G As 40-36-9 which does not exceed the ceiling limit prescribed under the Mysore Land Reforms Act,1961.

Yours faithfully,
Sd/-
Tahsildar, Sirsi.

// Copy //

For Deputy Commissioner,
N. Kanara, Karwar

28 3

From

Krishnappa Sambayya Hegde,
Honnegadde of Balegadde Village,
Sirsi.(North Kanara)

To

R. & L SECTION
A.G.F.D.
No. 02797
Date 23 JAN 1969
Section 518/FB

The Secretary to the Government of Mysore,
Agriculture and Forest Department,
Vidhana Soudha,
Bangalore.1.

Respected Sir,

Subject: Grant of Forest land in S.No. 71 to 77 of Bappanalli Village for Food Crops cultivation.

* * *

COURT FEE STAMP GOVT. OF INDIA ONE RUPEE

I am in a lawful cultivation of S.No. 71 to 77 of Bappanalli Village in Sirsi Taluka since 28.5.1954 in accordance with the grant given by Bombay Govt. on five years lease condition. But afterwords, as ~~the~~ this applicant paid a lesser amount of assessment than the assessment demanded by the authorities, the lease was ~~x~~ reduced for one year from five years, on 2.7 1954.

But in 1963 when I received an intimation from you at No. AFD/185/FGL/59/15-3-61, a representation was made by me upon the orders made by the Govt. to District authorities. And consequently the eviction proceedings have been stayed with.

1914
AFD 518 FB 69
27-1-69

So also the Govt. in pleased to received the assessment of Rs. 3,561-51 on 21.6.1965 accrued for the preceeding years. And thereby my lawful cultivation of the said lands uptill now, has been acquiesced by the Government. Apart from this so far I have spent about Rs. 75,000=00 upon the cultivation of the said lands.

Hence, I request you to kindly pass an order to grant me the said lands for permanent lease.

Yours faithfully,
ಕೃಷ್ಣಪ್ಪ ಸಂಬಯ್ಯ ಹೆಗಡೆ ಹೊನ್ನೆಗದ್ದೆ
(Krishnappa Sambayya Hedge
Honnegadde)

Bangalore,
22nd January, 1969.
23rd

Letter.

29

Subject :-Regularisation under G.O.No.AFD.6.MRP.58 and G.L.No.AFD.7.FGL.1968 dt.27-5-1968.

NO.FOP/GFL/LND/485/24(62-63)of 1968/69.
Sirsi, 20 -3-1969.

To,

The Chief Conservator of Forests,
in Mysore, Bangalore.

REF:-Your No.B3-GFL-1883/68-69 dt.29-1-1969.

From the case papers maintained in this Office, it is seen that the applicant did not execute the hangami la agreement with this Department for the grant of land made to him in the year 1953-54 and had encroached the land in question prior to its grant.The grant of the land was subsequently cancelled by the Bombay Government under their letter No.FLD/1056/57016.E dt.23-6-1956.

This Office is not aware of the recovery of the amount of Rs.3561.51 by the Revenue Department on 21-6-196

As the applicant did not execute the H.L.agreement, ~~in~~ his say that he is cultivating the land by obtaining possession of the land from 1954 is not correct.

As already reported by the Divisional Forest Offic E.D.Kanara in his No.C/11/2008 of 31-12-1959(copy enclose for ready reference),The encroachment in question was exi ing prior to 1958 i.e. prior to the date of the G.O.No.A 6.MRP.58 dt.19-5-1958 and its regularisation is admissib as per para 2 of the G.O. ibid.The regularisation of thi encroachment also falls under the purview of the Govern letter No.AFD.7.FGL.68 dt. 27-5-1968.

18/3

(S.Parameshwarappa)
Divisional Forest Officer,
Sirsi Division,Sirsi.

Submitted through the Conservator of Forests,Kanara Circle,Dharwar with reference to the Chief Conservator of Forests in Mysore,Bangalore's No. cited above.

30

Letter.

To,

The Conservator of Forests,
Belgaum Circle, Belgaum.

No.C/II/2008 of 1959-60. Dharwar, 31-12-1959.

Subject :-Request of Shri Krishnappa Shambayya Hegde for grant of F.Sy.No.71 to 77 of Boppanhalli village for paddy cultivation

Ref:- Your No.Cc/353/3618 dt. 8-10-1959.

Since the submission of this Office report No.C/272 dt. 3-5-1958 nearly three and half years have elapsed and the circumstances obtaining then have now vastly changed specially due to the land hunger which is increasing day by day in Kanara. Every attempt is being made by the public to secure every acre of land for being brought under plough and in a total area of 27-20-2 acres of Revenue Waste Sy.Nos. which was available in 1956 has now dwindled to 2 acres and 11 gunthas in the Boppanhalli village. This area of 2 acres and 11 gunthas is quite negligible when compared with that existing in 1956.

2. In view of this, only Revenue Waste lands to the extent of 2-11-0 acres are at present available in the village Boppanhalli ~~xixxxx~~ as under:-

Sy.No.	Acres.	Assessment.
121	0-37-0	0-12-0
124	1-14-0	1- 8-0
	2-11-0	

s in compact block. The request of Shri de

Even this small area of 2-11-0 of Revenue Waste Sy.Nos. has the prospect of being grabbed by the time the request of Shri K.S. Hegde is finalised. Besides the agregate area encroached upon by Shri Krishnappa Shambayya Hegde is 36 acres and 2 gunthas and* is covered by the provisions contained in para 3(1) of G.R.A.& F D.No.FDM.1054 dt.23-1-1955, of the Government of Bombay. These F.Sy.Nos. are brought under cultivation successfully by the encroacher Shri K.S.Hegde after investing huge capital prior to 13-5-1958 and hence this encroachment needs to be regularised as per para 2 of G.O.No.AFD.6.M.P.58 dt.13-5-1958. The Govt. have also considerably liberalised the Policy of Land Grants in furtherance of their Grow more food campaign. Compaign.

3. In view of the circumstances stated above, the F.Sy Sy.Nos. are recommended for being released for cultivation. There is considerable demand for these F.Sy.Nos. from the other landless poor agriculturists of the Boppanhalli village and they may be released for cultivation according to the merits of each case.

4. The accompaniments received under your above quoted No. are resubmitted herewith for favour of taking further ~~xxx~~ action in the matter.

Sd/-V.N.Nadgir)
Divisional Forest Officer,
Kanara Eastern, Dharwar.

" COPY "

Divisional Forest Officer
Sirsi (North), SIRSI.